

From: Account CONSULT-SMI AI/SM-I
To: Microsoft ATR
Date: 1/14/02 9:58am
Subject: Trial against MS

**** Confidential ****

Dear Sirs,

I would like to state my opinion concerning the proposed settlement. As a software developer, the quality of my own work depends on the quality of intermediate software like operating systems platforms or databases. Also, the level of stress that I have to face within my daily work with computers and the bearability of the job I do are majorly influenced by the actions of global players like Microsoft or Sun Microsystems.

Therefore I speak as a person directly concerned by Microsoft's policies and strategies and I cannot resist but to tell you that the business part of my life would be much more bearable if Microsoft would stop their ongoing seeding of discord.

Lately I bought a notebook and after a complete market survey, I found out that there was only one Notebook-vendor who could offer me notebooks without a preinstalled Windows operating system. If you purchase a Dell, Sony, Toshiba, Samsung or other notebook, then you can choose to take this graphics card or the other, you can configure every aspect. However you are always forced to purchase a Windows OS along with it. This is so up to the very day. If you just make the test, walk into a PC store, choose a particular notebook, and ask if you could purchase this laptop without a preinstalled windows, then you will always hear that this is not possible.

A fair competition between software vendors will only be made possible again, if some institution like the DOJ controls Microsofts behaviour.

Another aspect is that within a free-market economy, the best product should win the customers approval. Microsoft however is using its predominant position in todays market to force all software vendors into using their proprietary windows protocols.

In the earlier days I used to program windows software and my work was hard. Nowadays I am only using Java software coming from Sun Microsystems. Since that time, my work is much easier.

My Point is, that although Java technology is superior to anything Microsoft has to offer, it is not going to spread among the people and its use it not going to increase because Microsoft again is using it monopoly to suppress Java technology.

If microsoft was acting in a fair way, they would reckon that Sun Microsystems is offering a product that is open and top-nodge an would

try to catch up. Microsoft could even adopt Java technology because it is free. Nonetheless Microsoft prefers to use its monopoly to boycott this outstanding technology and therefore suppress the improvement of software products directly.

By any means necessary, Microsoft's superciliousness has to be abolished. Laws must have a substance in reality and may not only look good on a piece of paper. It is necessary to apply strict regulations to Microsoft's business mien.

Whatever judgement you decide on, it must be so made that it guarantees that Microsoft cannot go on acting as they do now in the future. To my mind the measures proposed so far are not sufficient. Microsoft not only deserves a higher punishment - it will be necessary to ensure a change in behaviour. Microsoft has had a chance to show that they are willing to cooperate but shows no sign of this.

For example, Apple has integrated Sun's Java platform within its newest operating system called Mac OS. Linux distributions come with a preinstalled Java platform. However, Microsoft is not integrating a modern Java-platform into its brandnew Windows XP.

At the same time Microsoft is trying to become the only holder of people's electronic identities by setting up a proprietary platform that holds people's secure identities. This project is called Project Hailstorm and Microsoft is using its monopoly once more to push this technology forward, not only ruining better proposals but also leading into an era where your complete identity as a person is hosted by one private company!!!

best regards
Sascha Coenen